

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

ERNEST AKEEM, as the Rep. of the Estate of)	
ERNEST A. HUBBARD, deceased,)	
)	
Plaintiff,)	
)	
vs.)	CV-02-RRA-465-M
)	
COMMISSIONER MIKE HALEY, et al.,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on March 1, 2006, recommending among other things, that defendant Donna Jones's motion for summary judgment (doc. 50) be granted and the case against her be dismissed with prejudice. The Report and Recommendation also recommended that the case against the remaining defendants be dismissed due to the plaintiff's lack of standing. The plaintiff agreed to the entry of summary judgment on behalf of Ms. Jones, and this court granted same by order dated March 17, 2006.

The plaintiff objected to the Report and Recommendation to the extent that it stated that the plaintiff lacked standing to pursue his other claims. The magistrate issued the following order on March 17, 2006:

The plaintiff argues that this court should appoint him or another person as administrator ad litem. The plaintiff also states that he has moved the Jefferson County Probate Court to appoint him as administrator over his father's estate.

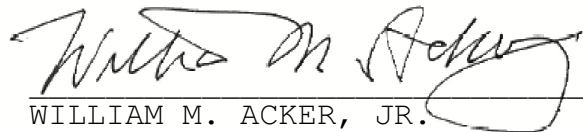
Within 11 days of the date of this order the plaintiff shall file a pleading with this court explaining why he has not yet been appointed administrator, and what actions he has taken to facilitate the appointment.

The remaining defendants are ordered to set out their position in this matter within 11 days from the date of this order.

Order of March 17, 2006, at 1. The plaintiff has not filed the supporting documentation requested by the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objection thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and his recommendation is **ACCEPTED**. The Court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, summary judgment is due to be **GRANTED** and this action is due to be **DISMISSED WITH PREJUDICE**. A Final Judgment will be entered.

DONE this the 29th day of March, 2006.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE